

Notice of Allowability

Application No.

09/821,353

Examiner

Chad Zhong

Applicant(s)

DELACRUZ, CEDRIC G.

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment, 06/27/2005.
2. ☒ The allowed claim(s) is/are 7 and 9-20, now as 1-13.
3. ☒ The drawings filed on 29 March 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/15/2005.
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____



EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kin-Wah Tong, Reg. No. 39,400 on August 15, 2005.

2. The Application has been amended as follows:

In the claims:

3. Claim 7 is amended to read as follows:

Claim 7. (Currently Amended) A method for providing video enhanced electronic mail message return receipts between at least one electronic mail message originator and at least one electronic mail message recipient, the method comprising:

receiving an electronic mail message which requires a video enhanced electronic mail message return receipt when received by the at least one electronic mail message recipient;

providing the electronic mail message to the at least one electronic mail message recipient;

determining when the at least one electronic mail message recipient starts reading the electronic mail message;

starting a video capture of an electronic mail message recipient's reaction when the at least one electronic mail message recipient starts reading the electronic mail message;

determining when the at least one electronic mail message recipient stops reading the electronic mail message;

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ending the video capture of the electronic mail message recipient's reaction when the at least one electronic mail message recipient stops reading the electronic mail message;

attaching the captured video of the electronic mail message recipient's reaction as part of the video enhanced electronic mail message return receipt; and

returning the video enhanced electronic mail message return receipt to the electronic mail message originator, wherein the electronic mail message originator views the electronic mail message recipient's reaction reading the electronic mail message.

4. Claim 9 is amended to read as follows:

Claim 9. (Currently Amended) A method for providing video enhanced electronic mail message return receipts, the method comprising:

determining when an electronic mail message recipient has started reading an electronic mail message which requires a video enhanced electronic mail message return receipt;

start taking a video of the electronic mail message recipient's reaction when the electronic mail message recipient has started reading the electronic mail message;

determining when the electronic mail message recipient has stopped reading the electronic mail message;

stop taking the video of the electronic mail message recipient's reaction when the electronic mail message recipient has stopped reading the electronic mail message; and

providing the video of the electronic mail message recipient's reaction as an attachment to the video enhanced electronic mail message return receipt and returning the video enhanced electronic mail message return receipt back to the electronic mail message's originator who specified the video enhanced electronic mail message return receipt requirement.

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5. Claim 15 is amended to read as follows:

Claim 15. (Currently Amended) A method for providing video enhanced electronic mail message return receipts between electronic mail correspondents, the method comprising:

receiving an electronic mail message having video enhanced return receipt specified for the electronic mail message by a sender of the electronic mail message;

providing the electronic mail message to at least one designated electronic mail message recipient;

determining when the at least one electronic mail message recipient opens the electronic mail message;

start capturing the at least one electronic mail message recipient's reaction on video upon opening of the electronic mail message by the at least one electronic mail message recipient;

determining when the at least one electronic mail message recipient closes the electronic mail message;

stop capturing the at least one electronic mail message recipient's reaction on video upon closing of the at least one electronic mail message by the at least one electronic mail message recipient; and

providing a video enhanced electronic mail message return receipt to the sender of the electronic mail message, wherein the video enhanced electronic mail message return receipt includes the video of the electronic mail message recipient's reaction captured while reading the electronic mail message.

6. Claim 16 is amended to read as follows:

Claim 16. (Currently Amended) The method of claim 15, wherein a signal is provided to a video camera upon opening of the electronic mail message by the at least one electronic mail message recipient.

7. Claim 18 is amended to read as follows:

Claim 18. (Currently Amended) The method of claim 15, wherein the video includes audio of the at least one electronic mail message recipient.

8. Claim 19 is amended to read as follows:

Claim 19. (Currently Amended) The method of claim 15, further comprising:

providing the at least one electronic mail message recipient the opportunity to review and cancel the video if desired by the at least one electronic mail message recipient.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

None of the prior art in record taken alone or in combination discloses stop capturing the electronic mail message recipient's reaction on video upon closing of the electronic mail message by the electronic mail message recipient; and providing a video enhanced electronic mail message return receipt to the sender of the electronic mail message, wherein the video enhanced electronic mail message return receipt includes the video of the electronic mail message recipient's reaction captured while reading the electronic mail message.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GLENTON B. BURGESS can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
August 23, 2005

A handwritten signature in black ink, appearing to read "N. S. Hadley". The signature is written in a cursive style with a long, sweeping vertical line extending downwards from the end of the name.